

FILED

UNITED STATES COURT OF APPEALS

JUL 16 2008

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: 24 HOUR FITNESS USA, INC., a
California corporation doing business as
24 Hour Fitness; SPORTS AND FITNESS
CLUBS OF AMERICA, INC., a California
corporation doing business as 24 Hour
Fitness.

No. 08-71808

D.C. No. 06-CV-0715 SC
Northern District of California,
San Francisco

ORDER

24 HOUR FITNESS USA, INC.; et al.,

Petitioners,

v.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
CALIFORNIA,

Respondent,

and

GABE BEAUPERTHUY.

Before: SCHROEDER, LEAVY and IKUTA, Circuit Judges.

Petitioner has not demonstrated that this case warrants the intervention of this court by means of the extraordinary remedy of mandamus. *See Bauman v. United States Dist. Court*, 557 F.2d 650 (9th Cir. 1977). Any error in the challenged district court order is correctable on appeal. *See id.* at 654. Accordingly, the petition is denied.